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SUMMARY OF ANSWERS TO THE FOUR POWER WORKING GROUP QUESTIONNAIRE  
ON GERMAN REUNIFICATION, EUROPEAN SECURITY AND BERLIN

(i) German Reunification

(a) Must free elections be the basis for reunification?

Free elections must take place at some stage in the reunification process, but might be postponed until after (1) security arrangements became effective, (2) general peace treaty principles were discussed, or (3) a plebiscite was held. Tactically, it would be well to test the acceptability of Soviet security offers before discussing reunification in detail.

(b) Could a procedure of free elections be envisaged to be held separately within the two parts of Germany (and Berlin)?

It is possible to propose free elections in East Germany under international supervision, but it is unlikely the USSR will agree to conditions meeting Western standards. Furthermore, as long as Soviet troops remain in East Germany the government there would be a captive one; also, another "captive government" would not have the stigma of the Grotewohl one if the West had approved the method of its selection. Unless the proposal implied in this question involved worthwhile security proposals, it is vulnerable as giving up East Germany without any compensatory gain. If linked with useful security proposals such could be a useful variant to the offer for all-German elections. Given proper supervision and free campaigning, we might also agree to an all-German assembly based on East and West German electoral districts instead of an all-German district (as in the Eden Plan).

(c) What form of supervision would be required in the event of (a) all-German elections, (b) separate elections in each part of Germany or (c) a plebiscite?

The Eden Plan provisions on supervision and free campaigning are essential. We might accept supervisory teams of one of three types: (1) Four Power (2) West German-East German (3) UN members. All teams must be of like composition, and plebiscite supervision must be as effective as that of an election.

(d) Is there any acceptable method by which an all-German body could be formed without, or in advance of, all-German elections?

The Eden plan could be modified by proposing that several persons from each Land in both parts of Germany be designated to act as the agents of the Four Powers in drafting an all-German constitution and electoral law, subject to Four Power review and approval. While this proposal has disadvantages, it might be examined and discussed again with the Germans. This does not go as far as the "Meissner-Fechter Plan" (discussed in the detailed answer to this question), but, if offered, could test Soviet intentions.

(e) Could a plebiscite throughout the whole of Germany be proposed, and if so, what questions should be proposed by the Western Powers?

Even though properly supervised, such could be dangerous since the Soviets would also be able to phrase a question. If our question were on German reunification in freedom by free elections, the results should be embarrassing to the Soviets and the GDR. But a Soviet question on troop withdrawals in connection with reunification could embarrass us. The Working Group consensus was that the plebiscite idea should be carefully considered, and also that the USSR would not accept the idea and would thus be put in a bad light.

(f) Are

... (f) Are there any conditions under which the East German confederation proposal could be considered?

There may be some advantage in a reunification proposal which is responsive to the Soviet contention that the "social achievements" in East Germany must be preserved. While retaining Western standards of free determination by the Germans, we might propose that social and economic powers remain with East and West German authorities respectively. However, the West Germans are strongly opposed to the Soviet version of confederation, and any discussion of the subject must be handled carefully.

... (g) Is there any alternative to the confederation proposal in the form of institutional arrangements for cooperation between the two parts of Germany which could be put forward?

We should await proposals in this area from the Germans.

... (h) Short of such institutional arrangements, could one propose the development of freer contacts and exchanges between the two parts of Germany?

Propaganda gains could be made here if the Soviets and the GDR refuse freer contacts and exchanges. Although there are practical limits imposed by GDR controls, gains can be made by pressing the Geneva type proposals to increase East-West contacts.

... (i) Could one envisage the establishment of a quadripartite commission of consultation and conciliation to deal with reciprocal complaints concerning Berlin and Germany (espionage, refugees, movement of convoys)?

This could be useful insofar as it is advantageous to have a number of proposals to table.

... (j) Could the UN play a useful role in connection with the reunification problem?

If the UN is brought in it should be in a carefully limited manner, particular dangers being those of the damaging effect of a narrow majority and any weakening of Four Power responsibility. However, the UN might be asked to provide members of a supervisory election commission.

... (k) Could the Western Powers delegate in any respects the discussion of the procedure for reunification to representatives of the two parts of Germany?

If agreement in principle on reunification is reached such provisions are possible. The present Soviet position that the two German states work out methods and details is not admissible unless the Four Power responsibility is abandoned. Short of complete agreement in principle there may be some room for maneuver.

(ii) European

(ii) European Security.

What measures can be envisaged in the field of European Security?

Our proposals on European security might be linked more closely with disarmament, without prejudice to the position that first-stage disarmament proposals are not dependent on reunification progress. We might adopt (a) a European inspection zone of 50°E - 35°E as a point of departure for inspection, limitation and control zones connected with reunification; or (b) the ceilings proposed in 1957 for second phase disarmament as a point of departure for staged withdrawals. If there is reunification on acceptable terms, we might agree to the elimination of atomic weapons in the central area, provided there are real surprise attack inspection safeguards.

All these proposals require military assessments, particularly within the light of the development of nuclear weapons and possible resulting changes in ground forces requirements in Europe. Furthermore, troop withdrawals should be reconsidered in the light of the current situation. The JCS views formulated last March considered possible proposals on European security in conjunction with German reunification (which are quoted in the full answer to this question). The Department of Defense view was that relocation of US forces presented political, financial and military obstacles which made relocation a doubtful alternative to withdrawal from the Continent.

It is noted that Soviet withdrawal under effective guarantees to prevent return would enable consideration of reunification arrangements which would otherwise be unacceptable.

The JCS views require a policy decision whether to discuss with our Allies the advisability of a withdrawal offer to the Soviets, and ascertain from our Allies the possibility of relocating sufficient strength in other European areas. Views of the JCS should also be sought on the specific proposal of a one-third withdrawal, and on additional withdrawals at agreed intervals, possibly in connection with advances in general disarmament.

Guidance on the above is required before specific answers can be given on measures and zones of limitation. However, certain comments can be made. It has been agreed with the British and French that troop strength limitation should not be based on nationality. The initial consensus of the Working Group was there should be no troop and arms limitations except in the context of German reunification. Also, a special status for Germany might be considered and covered by rewriting the assurance in the Geneva proposals linked with German NATO membership. This assurance might be expanded to cover attack against the USSR by a reunified Germany which was not a NATO member, or to cover attack by an Eastern country against a reunited Germany which was not a NATO member.

(iii) Other Questions

(a) Is any real progress possible in the field of European security without progress in the field of disarmament?

Significant progress in this field is unlikely without progress on disarmament. Narrow zones are less significant with long-range missiles. However, the concept of European security arrangements has a psychological force, and any comprehensive Western proposals will be expected to contain provisions on European security.

(b) Could

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(b) Could the security arrangements to be offered by the West include a provision for inspection against surprise attack?

The possibility of agreeing to an inspection zone limited to Europe should be reconsidered, in spite of the fact our position last spring was that inspection against surprise attack must include either US and Soviet territory or an area of strategic importance to the US, i.e., the Arctic. We should try to have something which is not harmful to our strategic position and which can be agreed upon at a Foreign Ministers meeting. Given General Norstad's opinion that a Rapacki Plan inspection zone would not be dangerous, the possibility of submitting such a proposal should be re-examined.

(iv) Phasing

(a) Must free elections be the starting point of reunification?

No. See (i) (a) above.

(b) Could a start be made with the establishment of a zone of limitation of forces and armaments before the holding of free elections?

Unless there is definite progress on reunification, great caution is called for in agreeing to military dispositions affecting the European balance of power. While the GDR regime is still in power it could hardly be counted on to implement agreements resulting in an SED overthrow. While certain steps in the security field might be agreed (see c below), armament and troop restrictions should be phased to follow elections.

(c) Could certain limited measures of security be put into effect before free elections?

Measures not altering effective Western strength could be taken. Such might include a unilateral, bilateral or multilateral undertaking not to resort to force or engage in aggression; a Western declaration that IRBM's would not be stationed in Germany; or an agreement to publish data on military personnel and armaments.

(d) Should a provision for inspection against surprise attack be offered, what would be its timing, i.e., before, or after, or phased with, the process of German reunification?

This possibility limited to a European zone, should be reconsidered and if found acceptable a proposal should be made to put it into effect before elections. It could be phased after the declarations or undertakings discussed above, and possibly after election procedures had been agreed. We should also consider keeping this proposal as a fallback for the end of a conference and independent of reunification progress.

(v) Peace Treaty

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(v) Peace Treaty

(a) Is discussion of a draft Peace Treaty or the basic principles of a peace treaty, acceptable in advance of, or together with negotiations on reunification?

Discussion of a draft or of basic principles would be a useful means of countering the Soviet draft and presenting an appealing Western case. Discussion of a draft (or several drafts) might provide the Soviets a device for accepting a modus vivendi. The Four Power Working Group raised no objections to discussing principles, but the French hesitate to table a draft at an early stage. If there are treaty discussions before reunification negotiations, the right of the all-German government to actually negotiate and sign the treaty must be reserved.

(b) Should the Western Powers put forward their proposals for a Peace Treaty?

The Working Group agreed that the Western Powers might put forward the general principles of a peace treaty. (See (v) (a) above).

(c) Could any features of the Soviet draft treaty be adopted by the Western Powers to their own advantage?

Some articles of the Soviet draft might be turned to our advantage. For example, its articles 14-16 on human rights could be part of a FedRep offer to legalize the Communist party and to reach an overall understanding on these articles before a peace treaty. Also, the Soviet draft could be the framework of a counter-draft, with objectionable articles rewritten.

(d) How far would representatives of the two parts of Germany be associated in any such discussion?

The Working Group agreed that such representatives should not negotiate directly but only in consultation with their own allies.

(e) Is it possible to include in the Peace Treaty proposals any provision for restrictions on a reunified Germany's military status?

This might be handled in a security agreement along the lines of the Geneva Draft Treaty of Assurance, but US opposition to discrimination applicable only to Germany probably rules out specific restrictions on a reunified Germany in a peace treaty.

(f) Could a settlement of frontier questions be offered before the conclusion of a peace treaty?

Putting forward premature frontier settlement suggestions probably will not serve the Western cause. The Germans appear ready to make a reasonable offer to the Poles and others involved, and this may be one of our most important cards, of which the timing would be vital.

(vi) Berlin

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(vi) Berlin

(a) Could there be a solution for Berlin not limited to the German question as a whole?

As a "fall-back" and with qualifications, we might agree to discuss Berlin separately (1) if the Soviets refuse to discuss reunification, even connected with a peace treaty; (2) make clear they intend to withdraw from Berlin functions; and (3) it seems unlikely agreement not to deal with GDR on access can be obtained. Several basic requirements for a separate discussion should be observed. Such a discussion might reduce tensions and an agreement on Berlin might create a better atmosphere for agreement on Germany as a whole. Arguments against a separate discussion are: (1) German reunification is the only real solution to the Berlin problem; (2) such would be meaningful only if our traditional position is modified; (3) modification would be interpreted as "abandonment"; (4) uncertainty that any solution will be as effective as the Allied occupation.

The probable Soviet position in a separate Berlin discussion would be that the occupation no longer has legal basis, Berlin is the capital and part of the GDR, the Allies are using Berlin to heighten tensions, and the Soviets have made a reasonable compromise "free city" proposal. The initial Western position should be that (a) the Berlin issue results from Soviet violations of agreements; (b) we will examine any suggestions; (c) we will consider certain areas of discussion; (d) any changes to be agreed will be transitional and designed to aid eventual reunification. Finally, the extent of a move from our initial position depends on Soviet pressures on Berlin and Soviet willingness to reach an understanding or conclude a genuine negotiation.

(b) Particularly, could we propose free elections in West and East Berlin, supervised by troops of the Four Powers, and the formation of a freely elected Council for the whole of Berlin until reunification is achieved and as a first step toward it?

Such is a logical part of the program outlined in (vi)(a) and there are no new factors barring calling for them again. In view of the known Communist position, a realistic proposal of this sort must be part of a broader one which provides guarantees for Berlin and also makes a free Berlin more tolerable to the Communists.

(c) Alternatively, could it be proposed that West Berlin become a full-fledged land of the Federal Republic and a part of the Federal territory pending reunification, with Bundeswehr forces substituted for or along with Allied forces?

If it is decided that the Three Powers offer to withdraw from Berlin, the best prospects lie in having Berlin become a state of the Federal Republic, Allied forces withdrawn, and the city guaranteed by Bundeswehr forces and a NATO guarantee, and unrestricted communication assured jointly by the Federal Republic, GDR and the Four Powers. It might be argued such would be acceptable to the Soviets and that the Federal Republic cum NATO guarantee might be effective if the full Federal Republic potential could be mobilized for Berlin. However, Berlin's isolation would leave it vulnerable and it would be necessary to deal with the GDR to insure free access. Also, this means recognition of the splitting of city (since the Soviets would insist on limiting the Land proposal to the Western Sectors), and the Land solution has little appeal to the West Germans, British or French.

(d) Could

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(d) Could the Western Powers accept the DDR authorities as the agents of the Soviet Union on the basis of Soviet guarantees that the DDR authorities would continue to provide exactly the same access and other facilities to Allied garrisons and the civilian population of Berlin as hitherto?

Contingency planning developed in 1954 contemplated such an arrangement for Allied traffic. But the USSR denies existence of an "agency" relationship and so the Three Powers cannot assert it exists. There is the obvious disadvantage of greater difficulty in establishing Soviet responsibility, and greater contact with the GDR. If such an agreement were made, it should be in writing, but in general terms and should run until reunification or until amended by mutual agreement of the Four Powers.

(e) Could some guarantee be given to or exchanged with the Russians about: (1) "subversive activities" in Berlin; (2) movement of refugees; (3) propaganda activities?

As a first step in creating an atmosphere in which understanding might be reached with Soviets on Berlin the Three Powers could terminate unilaterally as many as possible of the anti-Communist activities based in Berlin and take a temporary step to discourage but not halt refugee flows through Berlin. Given a firm understanding on the security and freedom of Berlin we might consider mutual guarantees of Berlin "neutrality" in intelligence and propaganda activities. No guarantee should be given preventing free expression of opinion in Berlin or providing forcible refugee repatriation.

(f) Could the International Court of Justice usefully be brought into the Berlin problem?

Such an appeal could lay a foundation for further UN consideration of Berlin, would present a good case for the Three Powers, might give moral advantage if the Soviets refused jurisdiction, and could bring the support of public opinion for eventual more forceful measures. However, the Court might give an ambiguous or unenforceable decision and an appeal to it might bring in the UN prematurely. The important question is that of timing.

(g) United Nations Participation: (1) Could the Western Powers agree to withdraw or change the status of their troops if the United Nations supervised a demilitarized West Berlin? (2) Allied troops were replaced by United Nations troops? (3) Allied troops were incorporated into a United Nations force?

A UN guarantee of Berlin might be acceptable if there is specific provision for the right of the Berlin government to ask occupation troops to remain. Transfer of responsibility to the Federal Republic or the UN is preferable to leaving Berlin with no ties to the West. All of Berlin not just the Western Sectors, should, if possible, be included in a UN guarantee. If such an arrangement were made, there would be no particular advantage in having the Three Powers' forces, and those of the USSR, made part of the UN protective force.

(h) Could

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(h) Could Allied troops remain in Berlin as UN executors and under such circumstances as would be compatible with the occupying role of Allied troops and Article 6 of the NATO Treaty?

There has not yet been an opportunity to examine the legal questions of the compatibility of the Allied forces' possible role as UN executors with their role as occupiers and with Article 6 of the NATO Treaty.

(i) Assuming that the Western Powers retained their troops in West Berlin what, if any, acceptable form could United Nations participation take? For example: (1) Could some of the occupation responsibilities for Berlin be carried out by the UN? (2) Could there be United Nations supervision of Western access, e.g., could there be substitution of United Nations personnel for Soviet personnel as regards Western military and civil access?

Mayor Brandt has suggested privately that the status of Berlin would be reinforced if the Three Powers "wore two hats", i.e., as occupiers and as UN mandatories. The Soviets will oppose any attempt by the Three Powers to confirm their position by obtaining some form of UN sanction. The basic question is whether, after a Soviet veto in the SC, the necessary majority could be obtained and held in the GA. It is likely that in attempting to obtain UN support the Three Powers would be ceding an increasing share of responsibility for Berlin, with a gradual change in Berlin's status. (See (vi)(g) above).

Would there be any advantage in United Nations organizations transferring to West Berlin?

The transfer of UN agencies to Berlin might focus world opinion on Berlin, but the suggestion overlooks the factors which determined present location, necessity for increased UN contacts with the GDR, and the vulnerability of UN agencies in isolated Berlin to indirect Communist pressure.

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